

Message Text

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ACTION PM-05

INFO OCT-01 ARA-10 ISO-00 CIAE-00 H-01 INR-10 L-03
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C O N F I D E N T I A L SAN JOSE 1381

E.O.11652: GDS
TAGS: MASS, CS
SUBJECT: DISCONTINUATION OF GOCR ASSISTANCE IN KIND TO OFFICE OF
DEFENSE COOPERATION

1. SUMMARY: EMBASSY HAS REQUESTED CHIEF, ODC, TO MAKE
ARRANGEMENTS FOR TERMINATION OF RECEIPT OF ASSISTANCE IN KIND
(AIK) PRIOR TO MAY 8 CHANGE OF GOVERNMENTS. SINCE AIK IS
NO LONGER AUTHORIZED UNDER A BILATERAL AGREEMENT, ITS CON-
TINUATION COULD EVENTUALLY LEAD TO GOCR CLAIM AGAINST USG FOR
REIMBURSEMENT. MORE IMPORTANTLY, CONTINUATION OF AIK ARRANGE-
MENT, IF IT WERE TO BECOME KNOWN PUBLICLY, COULD BE USED TO
DISTORT NATURE OF ODC RELATIONSHIP WITH GOCR MINISTRY OF
PUBLIC SECURITY AND ULTIMATELY TO EMBARRASS USG. END SUMMARY.

2. ASSISTNACE IN KIND TO ODC IS HOLDOVER FROM THE PERIOD IN
G
OICH A USMILGP WAS PRESENT IN COSTA RICA. THE BILATERAL
AGREEMENT ESTABLISHING MILGP TERMS OF REFERENCE AND SCOPE OF
OPERATIONS ALSO OBLIGATED THE GOCR TO PROVIDE CERTAIN TYPES
OF AIK TO THE MILGP. MILGP AGREEMENT WAS ALLOWED TO EXPIRE
IN 1975, EVEN THOUGH GOCR HAD SUGGESTED IT BE EXTENDED.
PRESUMABLY, GOCR OBLIGATION TO PROVIDE AIK TO MILGP
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ENDED WITH EXPIRATION OF AGREEMENT.

3. IN OCTOBER 1976, EMBASSY WAS AUTHORIZED TO INFORM
GOCR OFFICIALLY THAT MILGP HAD BEEN ABOLISHED AND THAT
FORMER MEMBERS OF MILGP WOULD HENCEFORTH FUNCTION AS
MEMBERS OF EMBASSY STAFF. GOCR NEVERTHELESS CONTINUED
TO PROVIDE AIK IN FORM OF ODC OFFICE SPACE, WAREHOUSE

SPACE, TELEPHONE SERVICE, AND DRIVER AND DRIVER/WAREHOUSE-MAN. ESTIMATED VALUE OF SUCH SERVICES WAS APPROXIMATELY \$1,080 PDMMONTH. MONTHLY VALUE OF AIK DROPPED TO \$709 PER MONTH, IN MAY 1977, WHEN GOCR DISCONTINUED PROVISION OF OFFICE SPACE AND ODC MOVED INTO CHANCERY WHERE IT IS NOW LOCATED. OUR CALCULATIONS ARE THAT TOTAL VALUE OF AIK PROVIDED SINCE EXPIRATION OF MILGP AGREEMENT IS \$25,221. TOTAL VALUE AIK PROVIDED TO ODC SINCE MILGP ABOLISHED IS \$15,122.

4. SINCE GOCR NO LONGER OBLIGATED BY TERMS OF BILATERAL AGREEMENT TO PROVIDE AIK, EMBASSY DOUBTS THAT MINISTRY OF PUBLIC SECURITY HAS LEGAL AUTHORITY TO PROVIDE SUCH ASSISTANCE ON CONTINUING BASIS. ALTHOUGH CURRENT MINISTER HAS BEEN WILLING TO CONTINUE ARRANGEMENT AS EXPRESSION OF APPRECIATION FOR ODC COOPERATION AND HELPFULNESS, IT IS ALSO CLEAR THAT GOCR REGARDS AIK ARRANGEMENT AS POLITICALLY SENSITIVE. FOR EXAMPLE, IN 1975 WHEN GOCR SUGGESTED EXTENSION OF MILGP AGREEMENT, IT REQUESTED MODIFICATION OF AIK PROVISIONS AND ALSO ASKED THAT EXTENSION BE ACCOMPLISHED IN A WAY THAT WOULD NOT ATTRACT PUBLIC ATTENTION. ALSO, WHEN ODC OFFICE QUARTERS HAD TO BE VACATED, MINISTER OF PUBLIC SECURITY FOUND IT CONVENIENT TO ALLOW ODC TO MOVE INTO CHANCERY RATHER THAN TO LOCATE NEW QUARTERS IN MINISTRY.

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5. EMBASSY'S CONCERN OVER CONTINUATION OF AIK ARRANGEMENT IS TWOFOLD. FIRST, WERE THIS PRACTICE TO BECOME KNOWN PUBLICLY, IT IS HIGHLY LIKELY THAT OPPONENTS OF ODC PRESENCE HERE WOULD USE THIS AS PRETEXT FOR POLITICAL ATTACK ON ODC RELATIONSHIP WITH MINISTRY OF PUZXPR SECURITY. SECONDLY, CONTINUED RECEIPT OF AIK EVENTUALLY COULD LEAD TO FILING OF GOCR CLAIM AGAINST USG. THIS IS A VERY LEGALISTIC COUNTRY, AND, OUR CLOSE BILATERAL RELATIONSHIP NOTWITHSTANDING, GOCR AT SOME POINT MIGHT FIND ITSELF COMPELLED TO SEEK REPAYMENT FOR SERVICES RENDERED TO USG WITHOUT EXPRESS LEGAL AUTHORITY. SINCE RISK OF EMBARRASSMENT AND POLITICAL DISADVANTAGE OUTWEIGHS BENEFITS GAINED FROM AIK CONTINUATION, EMBASSY HAS REQUESTED CHIEF, ODC TO MAKE ARRANGEMENTS TO DISCONTINUE. STRONGLY PREFER THAT THIS BE DONE PRIOR TO MAY 8 CHANGE OF GOVERNMENT. BY SEPARATE MESSAGE ODC WILL BE REQUESTING USCINCSO AUTHORIZATION TO INCREASE NUMBER OF DIRECT-HIRE EMPLOYEES TO OFFSET LOSS OF AIK. WILL APPRECIATE USCINCSO COOPERATION AND PROMPT ACTION ON ODC REQUEST. WEISSMAN

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